

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

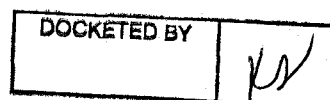
COMMISSIONERS

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

Arizona Corporation Commission

**DOCKETED**

APR 13 2005



DOCKET NO. W-04291A-04-0843

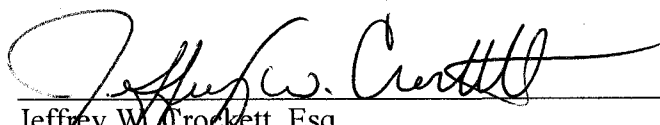
IN THE MATTER OF THE APPLICATION )  
OF AERIE CONSERVANCY, AN ARIZONA )  
NONPROFIT CORPORATION, FOR AN )  
ADJUDICATION THAT IT IS NOT A PUBLIC )  
SERVICE CORPORATION )

**NOTICE OF FILING METES  
AND BOUNDS LEGAL  
DESCRIPTION**

Attached hereto is a metes and bounds legal description for the Aerie development.

RESPECTFULLY submitted this 13th day of April, 2005.

SNELL & WILMER

  
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Phoenix, Arizona 85004-2202  
Attorneys for Aerie Conservancy

Original and 13 copies filed this  
13<sup>th</sup> day of April, 2005, with:

Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85004

AZ CORP COMMISSION  
DOCUMENT CONTROL

2005 APR 13 A 10:44

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Snell & Wilmer

LLP  
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One Arizona Center, 400 E. Van Buren  
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(602) 382-6000

1 Copy hand delivered this  
2 13<sup>th</sup> day of April, 2005, to:

3 Teena Wolf, Administrative Law Judge  
4 Hearing Division  
5 ARIZONA CORPORATION COMMISSION  
6 1200 West Washington Street  
7 Phoenix, Arizona 85007

8 Jim Fisher  
9 Utilities Division  
10 ARIZONA CORPORATION COMMISSION  
11 1200 West Washington Street  
12 Phoenix, Arizona 85007

13 David Ronald, Staff Counsel  
14 Legal Division  
15 ARIZONA CORPORATION COMMISSION  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007

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## LEGAL DESCRIPTION FOR THE AERIE

Homestead Entry Survey No. 626 located within a portion of Section 5, Township 17 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at a BLM brass cap monument marking the West Quarter corner of Section 5, from which the Southwest corner of Section 5 bears S 00°13'52" E 2646.81 feet;

Thence S 86°56'06" E 748.75 feet, to a BLM brass cap monument marking the point of beginning;

Thence N 00°08'23" W 1648.07 feet, to a chiseled "X" in stone inscribed "HES 626";

Thence N 65°41'54" E 460.76 feet, to a chiseled "X" in stone inscribed "HES 626";

Thence S 36°18'45" E 1349.51 feet, to a BLM brass cap monument;

Thence S 00°19'54" W 404.18 feet, to a BLM brass cap monument;

Thence S 39°55'11" E 355.66 feet, to a BLM brass cap monument;

Thence S 64°21'01" E 1506.72 feet, to a BLM brass cap monument;

Thence S 54°40'29" W 1621.72 feet, to a BLM brass cap monument;

Thence N 79°50'35" W 670.37 feet, to a BLM brass cap monument;

Thence N 30°16'16" W 1619.17 feet, to the point of beginning.

Containing 100.656 acres, more or less.

Together with a parcel of land located in the Northeast Quarter of Section 8, Township 17 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at a BLM brass cap monument marking the East Quarter Corner of Section 8;

Thence S 89°19'32" W 984.79 feet, along the South line of said Northeast Quarter, to the point of beginning;

Thence continuing S 89°19'32" W 984.79 feet to a point;

Thence N 01°38'12" W 329.27 feet, to a point;

Thence S 89°23'22" W 656.93 feet, to a point on the West line of said Northeast Quarter;

Thence N 01°42'16" W 1319.97 feet, along said West line, to a point;

Thence N 89°38'37" E 658.55 feet, to a point;

Thence N 01°38'12" W 658.51 feet, to a point;

Thence N 89°46'13" E 329.68 feet, to a point;

Thence S 01°36'11" E 328.89 feet, to a point;

Thence N 89°42'25" E 988.43 feet, to a point;

Thence S 01°30'01" E 1311.13 feet, to a point;

Thence S 89°27'11" W 328.67 feet, to a point;

Thence S 01°32'04" E 656.31 feet, to the point of beginning.

Containing 76.964 acres, more or less.